

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JUDITH SILVER, et al.,  
Plaintiffs,

v.

BASIL AND ELISE GOULANDRIS  
FOUNDATION, et al.,  
Defendants.

Case No. [22-cv-08914-AMO](#)

**ORDER STAYING DISCOVERY  
UNTIL DEFENDANTS' MOTIONS TO  
DISMISS ARE DECIDED**

Re: Dkt. No. 41

Before the Court is Defendants' joint motion requesting a stay of all discovery and case management deadlines pending adjudication of their motions to dismiss. ECF 41. The matter is fully briefed and suitable for decision without oral argument. Civ. L. R. 7-1(b). Having considered the motion, relevant legal authority, and the record in this case, and for the reasons set forth below, the Court hereby **GRANTS** the motion.

On March 17, 2023, the Parties filed a stipulation requesting, among other things, that the Court continue the deadline to file a joint case management statement and the date of the initial joint case management conference contemplated by Federal Rule of Civil Procedure 26(f). ECF 24 at 3. The stipulation was granted on March 23, 2023. *See* ECF 25.

Though Plaintiffs argue that the stipulation does not contain any text related to delaying or postponing discovery, they cannot escape that the Federal Rules of Civil Procedure state that "part[ies] may not seek discovery from any source before the parties have conferred as required by Rule 26(f)." Fed. R. Civ. P. 26(d)(1). Moreover, Federal Rule of Civil Procedure 26(f) provides that parties must confer "at least 21 days before a scheduling conference." Fed. R. Civ. P. 26(f)(1). By stipulating to continue the deadline to file a joint case management statement and the date of the initial case management conference, Plaintiffs – through operation of the Federal Rules

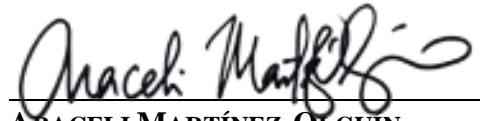
– also agreed to delay the start of discovery. Therefore, Defendants are entitled to a continued stay of discovery and case management deadlines, as stated in the Court-approved stipulation.

**CONCLUSION**

For the foregoing reasons, the Court hereby **GRANTS** Defendants’ motion and **STAYS** discovery and all case management deadlines until the Court adjudicates Defendants’ pending motions to dismiss.

**IT IS SO ORDERED.**

Dated: July 7, 2023

  
ARACELI MARTÍNEZ-OLGUÍN  
United States District Judge